

# Notice of Allowability

Application No.

10/718,649

Examiner

Matthew Johnson

Applicant(s)

WEIS, CHRISTIAN

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## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on 2/19/2007.
2. ☒ The allowed claim(s) is/are 8,9 and 15-22.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413)  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

## **DETAILED ACTION**

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with John Musone on 5/10/2007.

#### **In the Abstract:**

- In line 5, the phrase "by means of", has been replaced with the term --via--

#### **In the Claims:**

- In claim 21 line 25, the phrase "circumferential gears", has been replaced with the phrase --circumferential teeth—
- In claim 21 line 26, the phrase "with said hub" has been replaced with the phrase --with said hub teeth--

#### ***Allowable Subject Matter***

2. Claims 8,9,15-22 are allowed.

#### ***Reasons for Allowance***

3. The following is an examiner's statement of reasons for allowance: The prior art of record taken as a whole, does not teach nor render obvious the claimed combination comprising wherein the gear ring and hub are joined together by the elastic intermediate member and via a material to material bond (as defined in page 6 of the applicant's remarks filed 2/19/2007), so that the intermediate element is sandwiched between a lateral side of the gear ring and a lateral side of the hub.

4. Newly cited reference Chang et al. (USP-6,736,022) discloses a gear ring (14) and a hub (15) joined together by an elastic intermediate member (21). Chang discloses various embodiments (Figs. 2 & 6-12) describing variations of the above features. Figure 2 discloses a gear ring (14) and a hub (15) joined together by an elastic intermediate member that is sandwiched between lateral sides of the gear ring and hub, but does not disclose that the gear ring and hub are joined together via a material to material bond, as defined in the applicant's remarks. The embodiment of Figure 10 discloses a gear ring (14) and a hub (15) formed integrally, but it does not disclose that the elastic intermediate member (21) is sandwiched between lateral sides of the gear ring and hub. While some of the embodiments allow for the elastic intermediate portion to be formed integrally with the gear ring or the hub, and other embodiments allow for the elastic intermediate member to be sandwiched between lateral faces of the gear ring and hub, none of the embodiments disclose, teach, or provide motivation to combine the features to achieve a gear ring and hub joined together by the elastic intermediate member and via a material to material bond, so that the intermediate

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element is sandwiched between a lateral side of the gear ring and a lateral side of the hub.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew Johnson whose telephone number is 571-272-7944. The examiner can normally be reached on Monday - Friday 8:30a.m. - 5:00p.m. EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Ridley can be reached on 571-272-6917. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MJ

MJ 5/11/2007

  
RICHARD RIDLEY  
SUPERVISORY PATENT EXAMINER